REMARKS

The Examiner is thanked for the performance of a thorough search. Claims 1, 3-23, 26-32, and 35 are now pending in the application. The amendments to the claims as indicated herein do not add any new matter to this application. Each issue raised in the Office Action mailed June 08, 2009 is addressed hereinafter.

I. ISSUES RELATING TO PRIOR ART

A. CLAIMS 1, 3-7 AND 26-32 -- § 103: MITTAL, BRUCKERT

Claims 1, 3-7 and 26-32 are rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Mittal et al. U.S. Patent No. 7,076,645 ("Mittal"), and further in view of Bruckert et al. U.S. Patent Publication 2002/0049859 ("Bruckert"). (Office Action, page 2) The rejection is respectfully traversed.

CLAIM 1

Present Claim 1 recites:

1. A method, comprising the computer-implemented steps of:
receiving, at a single console control point for a network device cluster, user input specifying an operation to perform **concurrently on a plurality of active routers in** the cluster as a whole; and
automatically **and concurrently performing the specified operation on active routers in a plurality of active routers in the cluster by transforming the specified operation into one or more device-specific operations for each of the active routers in the** plurality of active routers;
wherein the user input specifies a configuration command for the cluster;
automatically **and concurrently** communicating the configuration command to each of the active routers in the plurality of active routers;
further wherein the cluster comprises a first switch device, the plurality of active routers, one or more standby routers, and a second switch device.

Support for the amendment is provided at least in paragraphs [99] and [121]-[122] of the applicants' specification.

Claim1 recites user input that is received at a single console control point for the network device cluster. The user input specifies an operation to be "performed concurrently on a plurality of active routers in the cluster as a whole." Thus the user input specifies the operation to be performed only on active routers in the cluster, not on the remaining devices in the cluster, such

as standby routers and switches. The specified operation is concurrently performed on the active routers by transforming the specified operation into device-specific operations for each of the active routes in the plurality of the active routers. As recited in Claim 1, a configuration command, specified in the user input, is "concurrently communicated to each of the active routers in the plurality of active routers."

It is well founded that to establish a *prima facie* case of obviousness under 35 U.S.C. §103(a), the references cited and relied upon must teach or suggest all the claim limitations. In addition, a sufficient factual basis to support the obviousness rejection must be proffered. *In re Freed*, 165 USPQ 570 (CCPA 1970); *In re Warner*, 154 USPQ 173 (CCPA 1967); *In re Lunsford*, 148 USPQ 721 (CCPA 1966). With respect to the present application, it is respectfully submitted that Mittal and Bruckert, individually or in combination, do not describe or suggest all the limitations of Claim 1. It is further submitted that a sufficient factual basis has not been proffered in the Office Action mailed June 08, 2009 to support the rejection of Claim 1 under 35 U.S.C. §103(a).

The Office Action alleges that Mittal describes "receiving, at a single console control point for a network device cluster, user input specifying an operation to perform on the cluster as a whole," and "automatically performing the specified operation on a plurality of active members in the cluster by transforming the specified operation into one or more device-specific operations for each of the plurality of active members" in column 2 (ll. 34-35, ll. 43-46). (Office Action: page 2) This is incorrect.

Mittal describes an operation performed on **every** device in a cluster, **not only on "active routers in the cluster,"** where a cluster has active and standby devices, as claimed. Mittal describes a reboot operation initiated by a system administrator and applied to every member of the cluster. (Mittal: Col. 4, ll. 60-64.) Therefore, in Mittal, not only active routers, but also standby routers, switches, etc. are rebooted. In contrast to Mittal, the operation recited in Claim 1 is performed only on the active routers, but is not performed on the standby routers and switches. The distinction between the active routers and all other network devices in the cluster

is not described in Mittal.

Mittal describes a reboot operation performed sequentially, **not "concurrently,"** as recited in Claim 1. Mittal requires that a device that initiated rebooting of the cluster postpones its own reboot until all the other devices successfully complete their reboots. (Mittal: Col. 5, ll. 2-6; Col. 6, ll. 23-27; FIG. 5) In Mittal, the objective is to maintain the cluster operational during the reboot process. Therefore, in Mittal, while all other devices are rebooted, one device remains operational to handle various tasks on behalf of the whole cluster. Only after all other devices finish the reboot process, the reboot initiating device is rebooted. (Mittal: Abstract; Col. 1, ll. 23-27, and ll. 34-36) In contrast to Mittal, according to Claim 1, the specified operation is performed concurrently on all active routers in the cluster. This is not described in Mittal.

In Mittal, the reboot operation is performed for each member of the cluster, not only for each **active router,** as claimed. In Mittal, a system administrator obtains a list of cluster members and sends the reboot command to them regardless of whether they are active routers, standby routers or switches. (Mittal: Col. 6, ll. 18-21) In contrast to Mittal, "device specific operations are sent to each of the active routers in the plurality of active routers," but the device specific operations are not sent to the remaining devices in the cluster, such as standby routers, switches, etc. This is not described in Mittal

The Office Action alleges that Mittal describes "automatically communicating the configuration command to each of the active members in the plurality of active members" in column 2 (ll. 39-46). (Office Action: page 3) This is incorrect.

In Mittal, a reboot operation is **not concurrently sent to each of the active routers**, as recited in Claim 1. In Mittal, a system administrator obtains a list of cluster members and determines which member initiated the reboot operation. (Mittal: Col. 6, ll. 18-21) Then, the reboot is performed on each member of the cluster other than the member who initiated the reboot. (Mittal: Col. 6, ll. 25-26) Thus, the reboot command is sent first to each member of the cluster other than the member that initiated the reboot, and then, some time later, to the member that initiated the reboot. In contrast in Claim 1, a configuration command, specified in the user

input, is concurrently communicated to each of the active routers

The Office Action acknowledges that Mittal does not describe that a cluster comprises "a first switch device, a plurality of active routers, one or more standby routers, and a second switch device." (Office Action: page 3) However, the Office Action alleges that Bruckert discloses such a cluster system. (Office Action: page 3) This is incorrect.

Bruckert describes a cluster of network devices (Bruckert: Para [27]), but **does not describe that active routers in the cluster are treated as a whole** and separately from the remaining devices in the cluster. There is no teaching in Bruckert about a single console control point that receives user input specifying an operation to perform on a plurality of active routers as a whole, as claimed. Bruckert has no suggestion to transform a specified operation into device-specific operations for only the active routers in a cluster, as claimed. Furthermore, Bruckert does not describe "concurrently communicating a configuration command to each of the active routers," as claimed. Therefore, Bruckert does not cure the deficiencies of Mittal with respect to the features of Claim 1.

Therefore, Mittal and Bruckert, individually or in combination, fail to describe or suggest the whole subject matter recited in Claim 1.

Reconsideration and withdrawal of the rejection is respectfully requested.

CLAIM 26

Claim 26 recites features similar to those in Claim 1. Therefore, applicants believe that Claim 26 is patentable over Mittal and Bruckert, individually or in combination, for the same reasons discussed for Claim 1.

Reconsideration and withdrawal of the rejection is respectfully requested.

B. CLAIMS 8-23 -- § 103: MITTAL, BRUCKERT, JOHN

Claims 8-23 are rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Mittal-Bruckert as applied to Claim 1 above, and further in view of John et al. U.S. Patent Publication 2004/0088412 ("John"). (Office Action: page 5) The rejection is respectfully traversed.

Claims 8-23 depend from Claim 1. As discussed above, Mittal and Bruckert, individually

or in combination, fail to describe or suggest at least one feature recited in Claim 1. Further, John does not cure the deficiencies of Mittal and Bruckert with respect to Claim 1 because John does not describe "receiving, at a single console control point for a network device cluster, user input specifying an operation to perform on the cluster as a whole," and "automatically performing the specified operation on a plurality of active members in the cluster by transforming the specified operation into one or more device-specific operations for each of the plurality of active members," recited in Claim 1. Therefore, Mittal and Bruckert and John, individually and in combination, fail to disclose the whole subject matter of Claim 1. Therefore, and due to claim dependency, Mittal and Bruckert and John, individually or in combination, fail to disclose the whole subject matter of Claims 8-23.

Reconsideration and withdrawal of the rejection is respectfully requested.

C. CLAIM 35 -- § 103: MITTAL, BRUCKERT, JOHN, HSU

Claim 35 is rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Mittal-Bruckert -John as applied to Claim 1 above, and further in view of Hsu et al. U.S. Patent Publication 2001/0021198 ("Hsu"). (Office Action: page 11) The rejection is respectfully traversed.

Claim 35 depends from Claim 1. As discussed above, Mittal and Bruckert, individually or in combination, fail to describe or suggest at least one feature recited in Claim 1. Further, John and Hsu do not cure the deficiencies of Mittal and Bruckert with respect to Claim 1 because John and Hsu do not describe "receiving, at a single console control point for a network device cluster, user input specifying an operation to perform on the cluster as a whole," and "automatically performing the specified operation on a plurality of active members in the cluster by transforming the specified operation into one or more device-specific operations for each of the plurality of active members," recited in Claim 1. Therefore, Mittal, Bruckert, John and Hsu, individually or in combination, fail to disclose the whole subject matter of Claim 1. Therefore, and due to claim dependency, Mittal, Bruckert, John and Hsu, individually or in combination, fail to disclose the whole subject matter of Claim 35.

Reconsideration and withdrawal of the rejection is respectfully requested.

D. DEPENDENT CLAIMS

The claims that are not discussed above depend directly or indirectly on the claims that have been discussed. Therefore, those claims are patentable for the reasons given above. In addition, each of the dependent claims separately introduces features that independently render the claim patentable. However, due to the fundamental differences already identified, and to expedite positive resolution of the examination, separate arguments are not provided for each of the dependent claims at this time.

III. CONCLUSION

For the reasons set forth above, all of the pending claims are in condition for allowance. A petition for extension of time is hereby made to the extent necessary to make this reply timely filed. If any applicable fee is missing or insufficient, the Commissioner is authorized to charge any applicable fee to our Deposit Account No. 50-1302.

Respectfully submitted,

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